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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,615	06/18/2001	Peter E. Johnson	042390.P11649	2957
20322	7590	11/22/2004	EXAMINER	
SNELL & WILMER ONE ARIZONA CENTER 400 EAST VAN BUREN PHOENIX, AZ 850040001			NGUYEN, MINH CHAU	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/883,615	<b>Applicant(s)</b> JOHNSON ET AL.	
	<b>Examiner</b> MINH-CHAU N. NGUYEN	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) *  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>08 October 2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "processor bus 710 and chipset 720" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Haal et al. (Haal), (US 6,449,644 B1).

Regarding claim 1, Haal teaches a method comprising:

receiving a number of messages from at least two different system elements that are located in two different devices, wherein the system elements are associated with a same process and wherein the number of messages have a common protocol (Haal teaches many client systems are located in many client computers. These client systems are associated with the processes through integrating engine which is located in integrating server. The processes are operating independently of each other, so that they might be associated with a same process. Integrating engine would receive the information /messages between those client systems. Moreover, the communication between the connection of client systems to each other by using different communication protocols which would be common protocols.) [Col. 5, L. 12-17 and L. 30-34; and Col. 1, L. 20-29];

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storing the number of messages from the at least two different system elements (Haal teaches the integrating engine comprises a database. Each client system is represented in the database by the base table. Moreover, each type of information/message is stored in the base table. Therefore, the integrating engine can store many messages from many client systems) [Col. 7, L. 5-42]; and

retrieving the number of messages associated with the same process upon request for a status inquiry of the same process (Haal teaches the integrating engine also provide an error detection. The errors detected may be stored in the history log table or even log table which is a form of a database trigger into the base table. Thereby the table row containing an error is marked so that the table row is not available for subscription the history log table or the event log table until the error is corrected. In other word, the message error has been retrieved by the history log table or the event log table which is in the integrating engine.) [Col.7, L. 47-53, and Col. 8, L. 3-11].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claim 2, 4, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haal et al. (Haal), (US 6,449,644 B1) as applied to claim 1 above, and further in view of Jollands, (US 6,292,941 B1).
4. Regarding claim 2, Haal is relied upon for the disclosure set forth in the claim 1 rejection. Haal fails to disclose the process that the client systems are associated, includes an installation of an operating system process into one of the client device. However, Haal suggested that processes which are a number of software applications processes. Thus, a process from communication between the client systems would be a software applications process, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Jollands, in the same field of endeavor having closely related objectivity, teaches the method of claim 1, wherein the same process includes an installation of an operating system onto one of the two different devices [Col. 1, L. 57-60]  
Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a process of installation operating system into a client device which is connected to another client device, as suggested by Jollands, in the method for integrating an arrangement of an number of computerized client systems of Haal, in order to allow a client system installing an operating system into its device.
6. Regarding claim 4, Haal is relied upon for the disclosure set forth in the claim 1 rejection. Haal fails to disclose the message format which includes a process

identification and an information code. However, Haal suggested that when the client systems connect each other to exchange of messages of information, these messages have to be in the system specific native format. In addition, while a client adapter transform this message would include a hardware address of the client, which allows another client adapter knows from whom it has received information. Jollands, in the same field having closely related objectivity, teaches the method of claim 1, wherein the number of messages are based on a message format wherein the message format includes a process identification and an information code (Jollands teaches the local computer send a command (may be a message) "boot net-install" to the management computer for installation an operating system. When the process of this message is initiated, the connection and addresses are established which includes the local computer broadcasting an address over the network) [Col. 8, L. 23-33].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a process identification such as the local computer address and its code installation such as installation an operating system into a message format, as suggested by Jollands, in the method for integrating an arrangement of an number of computerized client systems of Haal, in order to initiate the process.

7. Regarding claim 5, Haal is relied upon for the disclosure set forth in the claim 1 rejection. Haal fails to disclosures the process identification of client systems

includes an Ethernet address for one of their devices. However, Hall suggested that client systems are connected each other over a network, and the network may be an Intranet, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Jollands in the same field of endeavor having closely related objectivity, teaches the method of claim 4, wherein the process identification includes an Ethernet hardware address for one of the two different devices (Jollands teaches a local area network adapter connects to a local area network, that implies a local area network adapter includes an Ethernet hardware address of the local computer while connecting to another local area network) [Col. 4, L.23-25].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a process identification which includes a local hardware address, as suggested by Jollands, in the method for integrating an arrangement of an number of computerized client systems of Haal, in which the client system knows whom it have connected and received message from.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haal et al. (Haal), (US 6,449,644 B1) as applied to claim 1 above, and further in view of Stanbach, Jr. et al. (Stanbach), (US 6,449,657 B2).
9. Regarding claim 3, Haal is relied upon for the disclosure set forth in the claim 1 rejection. Haal fails to disclosures the common protocol is used for the connection between client systems, which includes the Hyper Text Transfer Protocol (http).



However, Haal suggested that the processes on a number of different protocol (or common protocols) which would includes http, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Stanbach, in the same field of endeavor having closely related objectivity, teaches the method of claim 1, wherein the common protocol includes the Hyper Text Transfer Protocol [Col. 15, L. 29-44 and Col. 16, L. 8-10].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a Hyper Text Transfer Protocol services that provides http protocol to transmit a request/response to client systems, as suggested by Stanbach, in the method for integrating an arrangement of an number of computerized client systems of Haal.

10. Claim 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haal et al. (Haal), (US 6,449,644 B1) and Jollands, (US 6,292,941 B1) as applied to claim 1, 4 and 5 above, and further in view of and Stanbach, Jr. et al. (Stanbach), (US 6,449,657 B2).

11. Regarding claim 6, Haal-Jollands discloses the invention substantially as claimed, but it is silent to limitation wherein the number of messages are based on the Hyper Text Transfer Protocol (http). However, transmitting messages that are based on the http is disclosed in Stanbach (Stanbach teaches http request is received at a web server) [Col. 15, L. 29-44 and Col. 16, L. 8-10]. In addition, Haal teaches the client

systems are also associated with many different processes through integrating engine. The processes are operating independently of each other. [Col. 1, L. 20-29]; Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a Hyper Text Transfer Protocol services that provides http to transmit the messages of client systems, as suggested by Stanbach, with the teaching of Jollands for having a process identification which includes a local computer address of Jollands, in the method for receiving, storing and retrieving messages from a number of computerized client systems of Haal.

12. Claim 7 has similar limitations as claim 2, therefore is rejected under the same rationale.

13. Regarding claim 8, Haal-Jollands teaches the method of claim 6, wherein the client machines include a management client machine, wherein the number of messages received from the different system elements located on the client machines are transmitted through the management client machine [Col. 3, L. 9-17].

Although Jollands does not explicitly teach closing the local system (or the client system) and the management system (or another client system) transmit messages through a database. However, it is well known in the art that once the management system receives a request about installation an operating system from the client system, the request would be inserted into the database. Besides this, a plurality of files, which include files defining a module of an operating system at a local

computer need to be installed from the management system, are input into the database. Therefore, the local system and the management system must transmit a request and response through the database.

14. Regarding claim 9, Haal-Jollands teaches the method of claim 8, wherein the client machines are part of a data center for a number of Internet web host providers [Col. 3, L. 30-34]. Although Jollands does not explicitly teach closing a computer network can include many management computers and a local computer is a one of the local computers in LAN can has an operating system to be installed from them over the Internet web. However, Haal teaches a graphic user interface via the network is designed for the client computers communicate with the integrating server computer [Col. 2, L. 49-60]. Thus, it is well known in the art that in order for the management computers provide operating systems to the local computer over Internet web.

15. Claim 10 has similar limitations as claim 1, but in apparatus form rather than method form. Therefore, claim 10 is rejected under the same rationale. Although, a limitation "a message accumulator unit communicatively coupled to the local execution unit and the remote execution unit" does not point out where the message accumulator unit is located. Therefore, the message accumulator can be located in the remote execution unit. It is well known in the art that in order for a client connects to an integrating server, the messages of client system and integrating engine are input into the database.

16. Claims 11, 13, and 14 list all the same elements of claim 2, 4, and 5, but in apparatus form rather than method form. Therefore, the supporting rationale of the rejection to claims 2, 4, and 5 applies equally as well to claims 11, 13 and 14.
17. Claims 12 lists the same element of claim 3, but in apparatus form rather than method form. Therefore, the supporting rationale of the rejection to claim 12 applies equally as well to claim 3.
18. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haal et al. (Haal), (US 6,449,644 B1) as applied to claim 1 above, and further in view of Jollands, (US 6,292,941 B1).
19. Regarding claim 15, Haal discloses the invention substantially as claimed, but it is silent to limitation a process identification in a message includes an Ethernet address of the client computer. However, Hall suggested that client systems are connected each other over a network, and the network may be an Intranet, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Jollands in the same field of endeavor having closely related objectivity, teaches the method of claim 4, wherein the process identification includes an Ethernet hardware address for one of the two different devices (Jollands teaches a local area network adapter connects to a local area network, that implies a local area network adapter includes an Ethernet hardware address of the local

computer while connecting to another local area network) [Col. 4, L.23-25]. In addition, the processes are on one or several computerized client systems that imply a client computer may includes at least one system elements and a server may also includes at least one system elements. Moreover, Haal teaches the messages from client systems and integrating engine is stored in a database which is located in the integrating engine.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a process identification which includes a local hardware address, as suggested by Jollands, in the method for integrating an arrangement of an number of computerized client systems of Haal, in which the client system knows whom it have connected and received message from.

20. Claims 16, 17 have similar limitation as claims 2, 3, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 2, 3 applies equally as well to claims 16, 17.

21. Regarding claim 18, Haal is relied upon for the disclosure set forth in the claim 15 rejection. Haal fails to teach the client system download files from the database, which is located in the integrating engine during the installation of the application. However, Haal teaches the client system can have information from the integrating engine over the database, such suggestion would motivate one ordinary skilled in the art to seek a practical and effective way of doing so. Jollands, in the same field

of endeavor having closely related objectivity, teaches the system of claim 15, wherein the server machine further comprises a file server, wherein one of the at least system elements on the client machine is to download files from the file server during the installation of the application (Jollands teaches the management computer comprises a database which contains a plurality of files which define a module of operating system at a local computer need to be installed. Therefore, the local system can download files from the database during the installation of the operating system) [Col. 3, L. 9-17].

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a database in the management computer that allows the local computer download an operating system application, as suggested by Stanbach, in the method for integrating an arrangement of an number of computerized client systems of Haal.

22. Claims 19-23 list all the same elements of claims 1-5, but in machine-readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-5 applies equally as well to claims 19-23.

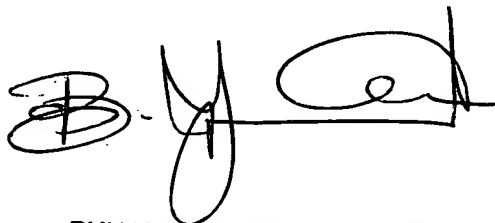
23. Claims 24-27 list all the same elements of claims 6-9, but in machine-readable medium form rather than method form. Therefore, the supporting rationale of the rejection to claims 6-9 applies equally as well to claims 24-27.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU N. NGUYEN whose telephone number is (703)305-8425. The examiner can normally be reached on Monday-Friday from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID A. WILEY can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Bunjob Jaroenchonwanit', with a stylized, cursive script.

**BUNJOB JAROENCHONWANIT  
PRIMARY EXAMINER**